

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

LARRY T. LINARES, SR. §  
VS. § CIVIL ACTION NO. 1:20-CV-255  
DAVID HAMEL, ET AL. §

MEMORANDUM ORDER OVERRULING PLAINTIFF’S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff Larry T. Linares, Sr., a prisoner previously confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against David Hamel, Joshua Loflin, M. Brown, Unknown Destitale, Lieutenant Lewis, and R. Brown.

The Court ordered that this matter be referred to a United States Magistrate Judge for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting Defendants’ Motion for Summary Judgment. [Dkt. 108.]

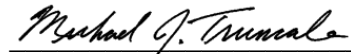
The Court has received and considered the Report and Recommendation of United States Magistrate Judge [Dkt. 134], filed pursuant to such order, along with the record and the pleadings. Plaintiff filed Objections to the Report and Recommendation. [Dkt. 136.]

The Court has conducted a *de novo* review of the Objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration of all the pleadings and the relevant case law, the Court concludes that Plaintiff’s Objections lack merit.

ORDER

Accordingly, Plaintiff's Objections are OVERRULED. The findings of fact and the conclusions of law of the magistrate judge are correct, and the report and recommendation of the magistrate judge is ADOPTED. Defendants' Motion for Summary Judgment is GRANTED. A final judgment will be entered in accordance with the magistrate judge's recommendation.

**SIGNED this 22nd day of March, 2022.**

A handwritten signature in black ink, reading "Michael J. Truncala", is written over a horizontal line.

Michael J. Truncala  
United States District Judge